



Legislation Details (With Text)

**File #:** 220015      **Version:** 0

**Type:** Resolution      **Status:** Passed

**File created:** 4/19/2022      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:** 5/10/2022

**Effective date:**

**Title:** Resolution authorizing the proper City officers to execute an Intergovernmental Cooperation Agreement with the Milwaukee Metropolitan Sewerage District allowing MMSD to conduct necessary Polychlorinated Biphenyls removal in the area located near 4132 North Holton Street, and to have the City contribute to costs to design and implement the remediation, in the 6th Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** MILWAUKEE METROPOLITAN SEWERAGE DISTRICT, SEWER IMPROVEMENTS

**Attachments:** 1. CADB01-#279386-v1-City\_MMSD\_PCB\_Agreement\_20220314.pdf

Date	Ver.	Action By	Action	Result	Tally
4/19/2022	0	COMMON COUNCIL	ASSIGNED TO		
4/27/2022	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
5/10/2022	0	COMMON COUNCIL	ADOPTED	Pass	11:0
5/19/2022	0	MAYOR	SIGNED		

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ORIGINAL  
THE CHAIR

Resolution authorizing the proper City officers to execute an Intergovernmental Cooperation Agreement with the Milwaukee Metropolitan Sewerage District allowing MMSD to conduct necessary Polychlorinated Biphenyls removal in the area located near 4132 North Holton Street, and to have the City contribute to costs to design and implement the remediation, in the 6<sup>th</sup> Aldermanic District.

Resolution authorizing the proper City officers to execute an Intergovernmental Cooperation Agreement (ICA) with the Milwaukee Metropolitan Sewerage District (MMSD), and to authorize the City to contribute to costs to design and implement the remediation, not to exceed \$400,000.

Whereas, Wisconsin Statute Section 66.0301 authorizes any municipality to enter into an Intergovernmental Cooperation Agreement (ICA) with another municipality and/or a metropolitan sewerage district for the furnishing of services; and

Whereas, the Milwaukee Metropolitan Sewerage District (MMSD) is authorized by statute to protect, plan, design, construct, maintain, and operate a sewerage system for the collection, transmission, and disposal of all sewage and drainage of the sewerage service area including, either as an integrated or as a separate feature of the system, the collection, transmission and disposal of storm water and groundwater; and

Whereas, The City is authorized to construct, maintain, and operate a municipal sewerage conveyance system; and

Whereas, MMSD in furtherance of its functions relating to the operation of a sewerage system undertook a cleaning project in sewers located near 4132 North Holton Street; and

Whereas, MMSD discovered Polychlorinated Biphenyls (PCBs) in City-owned sewers connected to MMSD's Metropolitan Intercepting Sewers (MIS) near 4132 North Holton Street; and

Whereas, it is necessary to remove the PCB contamination located in both MMSD and the City-owned sewers; and

Whereas, the City and MMSD have determined that it will be in the best interests of both entities if MMSD includes work to remove PCBs from the City-owned sewers in the MMSD's environmental consulting and sewer cleaning contracts that MMSD will enter; and

Whereas, possible further remediation of PCBs or lining of City-owned sewers may be ordered by the Environmental Protection Agency (EPA); and

Whereas, the City and MMSD have each determined to enter into this ICA; and

Whereas, the ICA calls for the City to reimburse MMSD with funds not to exceed \$400,000; and

Whereas, the Department of Public Works/Infrastructure Services is concurrently setting up funding of \$400,000 on this resolution (SM495220014), with the total cost to the City for this project not to exceed \$400,000; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper City officers are hereby authorized to execute an Intergovernmental Cooperation Agreement with MMSD allowing MMSD to conduct necessary PCB cleanup work in the area of 4132 West Holton Street, in the form and substance of the ICA submitted to this file (or in material conformance therewith); and be it

Further Resolved, That the Council authorizes expenditure not to exceed \$400,000 to cover the City's contribution requirement contemplated by the ICA; and be it

Further Resolved, That City officers and employees are authorized to take such acts as necessary to effectuate the requirements and intent of this resolution.

...Requestor  
Department of Public Works  
Infrastructure Services Division  
Mahmoud Dakwar  
April 22, 2022